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Date: May 30, 2006

To: U.S. Patent and Trademark Office Fax #: 571-273-8300 Confirm#: 571-272-1149

Client Matter#: 24922-5402 (ISA-054.02)

Jennifer A. Zarutskie,

From: Ph.D.

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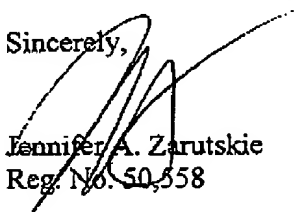
Re: U.S. Patent Application No.: 09/557,955  
Entitled: *Assay Reagents and Devices*  
Filed: April 25, 2000  
Inventors: Penfold *et al.*  
Our Reference No.: ISA-054.02 (24922-5402)

Sir/Madam:

Transmitted herewith for filing in connection with the above-referenced patent are the following:

1. This fax cover sheet (1 page);
2. Response to Notice of Non-Compliant Amendment (4 pages)

Sincerely,

  
Jennifer A. Zarutskie  
Reg. No. 50,558

JAZ

Attachment

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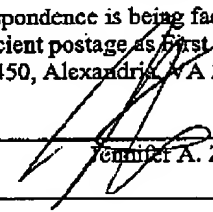
**RECEIVED  
CENTRAL FAX CENTER****MAY 30 2006**DOCKET NO: ISA-54.02  
(Old Docket No. IMIN.P-027)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Penfold  
Serial No: 09/557,955  
Confirmation No: 8900  
Filed: April 25, 2000  
For: Assay Reagents and Devices

Examiner: Duffy, Patricia Ann  
Art Unit: 1645

**CERTIFICATE OF MAILING/TRANSMISSION**

I hereby certify that the correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 30, 2006.

  
Jennifer A. Zarurskie

Mail Stop: AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Pursuant to M.P.E.P. § 1215.01, Applicants requested that the appeal of claims 2-11 be withdrawn and that claims 2-11 be canceled so that allowed claims 12-20 may issue.

An official amendment to the claims pursuant to 37 C.F.R. § 41.33 was requested, and submitted to the USPTO on February 13, 2006.

In a Notice of Non-Compliant Amendment mailed April 27, 2006, it was noted that claim 17 was changed from "particulate" to "particular" without any appropriate markings, and it was requested that the applicants re-submit the same amendment with the word "particulate" as previously presented in claim 17.

**Please amend the above-identified application as follows.**